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REMARKS

The Applicant would like to thank Examiner Blake for the analysis set forth in the Examination Report.

Objections to Specification

The Applicant would like to thank the Examiner for noting various grammatical errors in the specification. The Examiner's notes were used as a guide in making the necessary specification amendments.

Claim Objections

The Applicant also used the Examiner's notes as a guide in changing the plural term "machines" to the singular term --machine--.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 3, 4, and 5 presently stand rejected as being unpatentable over Omi '179 while claims 2 and 6 presently stand rejected as being unpatentable over Omi '179 in view of York '385. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

The York '385 reference was selected by the Examiner merely to show a slide assembly configuration. As such, the remarks which follow will focus upon the distinct differences between the primary reference of Omi '179 and the currently claimed application.

The present invention was developed to overcome problems encountered in feeding trees through delimbing machines in which the saw blades receive violent lateral impacts. The solution developed by the Applicant was to place contact members in particular locations spaced from the saw blade at the bottom, as set forth in claim 1, and at the top, as set forth in claim 2. The attachment location set forth in claim 1 for the at least one lower contact member is the inside surface of the access door of the saw head compartment and the attachment

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location set forth in claim 2 for the at least one upper contact member is the saw slide assembly.

The Examiner referred the Applicant to the Omi '179 reference as rendering the present invention obvious. The Examiner cited Omi '179 for the proposition that the contact members can be placed at any position inside the saw head compartment, so long as the contact member contacts the saw blade. The Omi '179 reference is a vibration damper, which is in constant contact with the saw blade in order to prevent vibrations. As seen in Fig. 3 of Omi '179, the vibration damper 3 is bolted to the blade guard 4 and the cutter body 5. A coil spring 16 "urge[s] the plates 10 outwardly so as the contact members 11 are pressed against the blade body 1a". Accordingly, it makes sense that it does not matter where in the saw head compartment such a vibration damper is located, as long as it is in constant contact with the saw blade.

The Applicant asserts that unlike the Omi '179 reference, the contact members of the present invention are not in constant contact with the saw blade. They are always spaced from the saw blade, so that the saw blade operates normally and completely unencumbered until an impact occurs. It is only when this impact occurs that the saw blade contacts the contact members. In view of the fact the contact members are not in constant contact, the positioning is important. Just positioning contact members that are not in constant contact anywhere within the saw head compartment, will not protect the saw blade from damage.

The agent for the Applicant is advised that persons skilled would avoid using the solution proposed by Omi '179 on a saw blade of a delimbing machine. The saw blade on a delimbing machine rotates continuously during operating hours. A vibration damper in constant contact with the saw blade, as taught by Omi '179, would unavoidably create friction. This friction would, in turn, produce heat on the saw blade. Heat in a saw blade that rotates continuously,

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as on a Delimbing Machine; will cause the saw to run erratically. The heat will also cause the saw blade to expand to the point where the tension (which is in body of the saw blade) is expanded beyond its maximum allowable expansion thus causing the saw blade to wobble erratically, which is not desirable.

The Agent for the Applicant is also advised that the saw blade on a Delimbing Machine free wheels until the operator applies hydraulic power to it (to get the saw back to full rpm) to perform the cut of the tree or log being delimbed. The constant contact will cause the saw blade to slow down when it is in its free wheeling state. To have the saw slowed down drastically (due to friction of the vibration damper) would mean that the operator would waste a lot of time, during the course of a day, waiting for the saw blade to get back up to speed before he or she could perform a desired cut of the log. A contact member in constant contact with the saw blade would inevitably result in production loss. For these reasons, it is respectfully submitted that the teachings of Omi '179 would not be acceptable in a delimbing machine.

Claim 1 has been amended to include in the claimed aspects of the present invention that are completely foreign to Omi '179. The contact members are described as being "laterally spaced" from the saw blade. In other words, they do not contact the saw blade unless a lateral blow moves the saw blade into them. The particular positioning of the contact members to provide utility, should the saw blade receive a lateral blow, are claimed. As noted above, while a contact member that is in constant contact may be able to be positioned anywhere within the saw head compartment and perform the intended function; a contact member that is not in constant contact has to be positioned in a particular manner or the contact member will not perform its intended function.

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In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claims of this application now recite the features of "[a] method for reducing damage caused to a circular saw blade on a delimbing machine, the method comprising the step of mounting at least one contact member to an inside surface of an access door of a saw head compartment, the at least one contact member being positioned immediately adjacent to and spaced laterally and radially inwardly from a lower circumferential peripheral edge of the circular saw blade when in a retracted position within the saw head compartment, such that lateral movement of the lower circumferential peripheral edge of the circular saw blade is confined by the at least one contact member engaging a first face of the circular saw blade along the lower circumferential peripheral edge". Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

In view of the foregoing amendments and arguments, it is respectfully submitted that claims 1-7 of the present application are now in a condition for allowance. The Applicant, therefore, requests reconsideration and the issue of a Notice of Allowance.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Omi '179 and/or York '385 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully

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requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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